

Exhibit A

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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER CASTILLO,
and MONIQUE TRUJILLO individually and on
behalf of all other similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

SUSMAN GODFREY L.L.P.

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Shawn J. Rabin (admitted pro hac vice)
Steven M. Shepard (admitted pro hac vice)
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Case No.: 4:20-cv-03664-YGR-SVK

**PLAINTIFFS' PROPOSED JURY
INSTRUCTIONS AND REDLINES
AGAINST MODEL INSTRUCTIONS**

Judge: Hon. Yvonne Gonzalez Rogers
Date: November 29 2023
Time: 9:00 a.m.

1 Pursuant to the Court's October 17, 2023 Order (Dkt. 1019), the Court's September 29,
2 2022 Standing Order Re: Pretrial Instructions in Civil Cases, and in advance of the Pretrial
3 Conference on November 29, 2023, Plaintiffs respectfully submit amended proposed Jury
4 Instruction Nos. 2-6 and 4-6. The Parties met and conferred but were unable to reach agreement on
5 these amended proposed instructions. Both parties' proposals and accompanying position
6 statements are included in a combined document that will be filed simultaneously.

(DISPUTED) JURY INSTRUCTION NO. 2-6

Number of Violations
Plaintiffs' Proposal

If you find that Plaintiffs have proven their claim under Section 631 of the California Invasion of Privacy Act, you will need to decide how many times Google violated the law, as to each Plaintiff.

Each interception qualifies as a separate violation of the law. Each use or attempted use of information obtained from any wrongfully intercepted communication also constitutes a separate and additional violation of law.

DATE SUBMITTED: November 1, 2023

DATE REVISED: November 27, 2023

There is no redline because there is no model instruction for this claim.

(DISPUTED) JURY INSTRUCTION NO. 4-6

Number of Violations
Plaintiffs' Proposal

If you find that Plaintiffs have proven their claim under the ECPA, you will need to decide how many times Google violated the law, as to each Plaintiff.

Each interception qualifies as a separate violation of the law. Each use or attempted use of information obtained from any wrongfully intercepted communication also constitutes a separate and additional violation of law. I will separately provide an instruction on the statute of limitations to the extent it applies.

DATE SUBMITTED: November 1, 2023

DATE REVISED: November 27, 2023

There is no redline because there is no model instruction for this claim.

1
2
3 Dated: November 27, 2023

Respectfully submitted,

4 By: /s/ Mark Mao

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